

LFC Requester:

Clint Elkins

**AGENCY BILL ANALYSIS
2016 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:

LFC@NMLEGIS.GOV

and

DFA@STATE.NM.US

{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original ☐ Amendment ☒
Correction ☐ Substitute ☐

Date January 27, 2016

Bill No: HB 240

Sponsor: Reps Hall, Townsend & Gentry

Agency Code: 305

Short Title: SCHOOL ATTENDANCE LAW

Person Writing Rebecca Parish, AAG

EARLY WARNING SYSTEM

Phone: 505-827-6777 **Email** rparish@nmag.gov

SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY16	FY17	FY18	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total						

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to: SB 205.
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE**BILL SUMMARY**

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

Synopsis:

House Bill 240 amends the Early Identification section of the Compulsory School Attendance Law to create an early warning system which alerts schools and parents to student absences in an effort to intervene and prevent habitual truancy.

House Bill 240 creates specific dates by which a truancy warning system must be implemented by schools and creates a truancy prevention team. It also imposes truancy reporting obligations on "the department".

House Bill 240 creates a penalty for habitual truancy that would suspend or deny the driving privileges of drivers under the age of 18. It also sets up a system of notice and appeal of such a penalty.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this section.

SIGNIFICANT ISSUES

There appear to be no legal or constitutional barriers to enacting this Bill.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

This Bill appears to be an exact duplicate of SB 205.

TECHNICAL ISSUES

- The Bill's placement of "definitions" in Section 2, after substantive law in Section 1, was confusing.
- The reference in Section 2 to the "Compulsory School Attendance Law" should have a citation to that law, Section 22-12-1 NMSA 1978. Or, alternately, "definitions" should be removed from this section of the bill.
- There is substantive law in Section 2 even though it is titled as "definitions".

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status Quo

AMENDMENTS

N/A